

U.S. Patent Application No. TBA
(U.S. National Phase Application Filed under 35 U.S.C. §371
Based on International Patent Application No. PCT/EP2005/000840)
Preliminary Amendment A
July 31, 2006

Remarks

Applicants request consideration on the merits of the above-referenced patent application.

I. Amendments to the parent application during the international stage of examination

The parent PCT application (*i.e.*, PCT Application No. PCT/EP2005/000840) was amended during the international stage of examination. The amendments made in this Preliminary Amendment A are based on the parent PCT application as amended during the international stage of examination.

II. Amendments to the specification

In accordance with 37 C.F.R. §1.78, Applicants have amended the specification to insert a paragraph identifying the patent applications to which this patent application claims priority. Applicants request that that paragraph be entered into this patent application.

In accordance with 37 C.F.R. §1.73, Applicants have amended the specification to insert a “Summary of the Invention” section. Applicants submit that the added summary of the invention does not introduce new matter, and request that it be entered into the application.

Other amendments simply rephrase the text, or correct grammatical or obvious errors. Applicants submit that such amendments are permissible under MPEP §2163.07.

III. Amendments to the claims

This Preliminary Amendment A adds new claims 22-41. Thus, claims 1-41 are pending. Claims 1-21 have been amended. All the claims, including the amendments, are shown in the previous section. Applicants submit that the amendments do not introduce new matter. Specifically:

Claim 1 has been amended to replace “C₂-C₁₀-alkyl” and “C₂-C₁₀-alkenyl” in the X definition with “C₂-C₁₀-alkylene” and “C₂-C₁₀-alkenylene”, respectively. This amendment makes the names of these two substituents more consistent with the name of the remaining substituent in the X definition (*i.e.*, -CH₂-Y-CH₂). The X definitions in claims 5, 7, 13, 15, 17, and 18 have also been amended to be more consistent with the X definition in claim 1.

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Claim 1 has also been amended to recite hydrates and solvates of the compounds. This amendment is supported by Applicants' specification at, for example, page 4, lines 11-12.

Claims 2-20 (which directly or indirectly depend from claim 1) have been similarly amended to be more consistent with claim 1.

Claims 3, 8, and 16 have been amended to depend from claim 1 rather than from claims 1 or 2.

Claim 5 has been amended to depend from claim 3 rather than from claims 3 or 4.

Claim 11 has been amended to depend from claim 8 rather than from any one of claims 8 through 10.

Claims 12 and 14 have been amended to depend from claim 8 rather than from any one of claims 8 through 11.

Claim 13 has been amended to depend from claim 8 rather than from any one of claims 8 through 12.

Claim 18 has been amended to depend from claim 16 rather than from claims 16 or 17.

Claim 19 has been amended to delete the first compound recited in that claim.

Claim 21 has been re-written as an independent claim.

Other amendments simply rephrase the claims, or correct grammatical or obvious errors. Applicants submit that such amendments are permissible under MPEP §2163.07.

New claims 22 and 23 depend from use claim 21, and is supported by Applicants' specification at, for example, page 13, line 35 to page 14, line 5.

New claim 24 is directed to a method for preventing and/or treating a condition selected from the group consisting of cerebral damage caused by thromboembolic stroke or traumatic brain damage, Parkinson's disease, depression, migraine, pain, psychosis, mood disorder, and urinary tract disorder. Claim 22 is supported by Applicants' specification at, for example, page 13, line 17 to page 14, line 10.

New claims 25-40 depend from claim 24, and are supported by Applicants' specification at, for example, page 13, line 17 to page 14, line 10.

New claim 41 depends from claim 1, and is supported by Applicants' specification at, for example, page 19 (Example 8); page 21 (Example 12); and page 33 (Example 31).

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Applicants reserve the right to claim any canceled and/or unclaimed subject matter in one or more later-filed continuation (including divisional) applications.

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Applicants submit that the claims are in condition for allowance. Applicants authorize the Commissioner to charge \$1880.00 to Deposit Account No. **08-0750** to cover the fees for this application (*i.e.*, basic national fee, examination fee, search fee, extra claims fee, and late oath fee). Applicants do not believe that they owe any additional fee in connection with this filing. If, however, Applicants do owe any such fee(s), the Commissioner is hereby authorized to charge those fee(s) to Deposit Account No. **08-0750**. In addition, if there is ever any other fee deficiency or overpayment under 37 C.F.R. §§1.16 and 1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. **08-0750**.

Applicants request that the Examiner call the undersigned if any questions arise that can be addressed over the phone to expedite examination of this application.

Respectfully submitted,



Lydia N. Nenow, PTO Reg. No. 52,530
Harness, Dickey & Pierce, PLC
7700 Bonhomme, Suite 400
St. Louis, Missouri 63105
(314) 726-7500 (tel)
(314) 726-7501 (fax)

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CERTIFICATE OF MAILING UNDER 37 CFR § 1.8

I certify that this correspondence is being deposited with the U.S. Postal Service on **July 31, 2006** with sufficient postage as first class mail (including Express Mail per MPEP §512), and addressed to **Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450**.



Lydia N. Nenow, PTO Reg. No. 52,530

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